

## **RESOLUTION NO. 16\_\_\_\_\_**

**WHEREAS**, on January 28, 2016, the City Council of the City of Huntsville authorized the Mayor to accept the low bid of DeAngelo Brothers, LLC on Bid No. 12-2016-71-1 pursuant to Resolution No. 16-69; and

**WHEREAS**, the said bid was issued for Herbicide Services for Drainage Ditches & Sewer Outfalls; and

**WHEREAS** the bid was let without the requirement that the low bidder have a general contractor's license; and

**WHEREAS**, the low bidder did not have a general contractor's license at the time it submitted its bid; and

**WHEREAS**, the City of Huntsville has subsequently been informed by the Alabama Licensing Board for General Contractors that performance of the aforementioned services requires a general contractor's license pursuant to *Code of Alabama* § 34-8-1; and

**WHEREAS**, the City of Huntsville cannot certify that the contract to be awarded to the low bidder is in compliance with *Code of Alabama* Title 39 and other applicable provisions of law as required by *Code of Alabama* § 39-5-1;

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama that the acceptance of the low bid of DeAngelo Brothers, LLC on Bid No. 12-2016-71-1, adopted and approved on the 28<sup>th</sup> day of January, 2016 be and the same is hereby rescinded and DeAngelo Brothers, LLC's bid is rejected; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Huntsville , that its acceptance of the said bid is hereby withdrawn, rescinded and held for naught and that the intention of the City Council of the City of Huntsville not be bound by the terms of the said acceptance is hereby manifested; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Huntsville that it reaffirms its acceptance of the low bids on Bid Nos. 47-2015-51-2, 9-2016-7400-2, and 15-2016-80-1, which were also accepted pursuant to Resolution No. 16-69 and reaffirms its intention to be bound by the acceptance of these said bids; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Huntsville that Bid No. 12-2016-71-1 be re-advertised for bids in accordance with Section 2-184 of the *Code of Ordinances* of the City of Huntsville.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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President of the City Council of the  
City of Huntsville, Alabama

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor of the City of  
Huntsville, Alabama